

**To:** Maier, Brent[Maier.Brent@epa.gov]  
**Cc:** Borum, Denis[Borum.Denis@epa.gov]  
**From:** Kaiser, Sven-Erik  
**Sent:** Fri 2/13/2015 8:02:26 PM  
**Subject:** Re: Letter from Bay area Delegation to ACOE - Re: Redwood City salt ponds

Thanks

On Feb 13, 2015, at 3:01 PM, "Maier, Brent" <Maier.Brent@epa.gov> wrote:

Sven –

Passing along a letter to ACOE as an FYI regarding Redwood City Salt Plants.

Also included is a Press Release from Congresswoman Jackie Speier's Office issued today.

Congresswoman Speier Sends Letter to the Army Corps of Engineers Expressing Concern About Clean Water Act Permitting in San Francisco Bay  
February 13, 2015

WASHINGTON, DC – Congresswoman Jackie Speier (D-San Francisco/San Mateo Counties) sent a letter yesterday <[http://speier.house.gov/images/pdf/bay\\_delegation\\_to\\_darcy\\_sf\\_bay.pdf](http://speier.house.gov/images/pdf/bay_delegation_to_darcy_sf_bay.pdf)> signed by ten other members of the Bay Area delegation to Assistant Secretary of the Army for Civil Works Jo-Ellen Darcy, expressing concern about the U.S. Army Corps of Engineers' upcoming decision as to whether the Redwood City Salt Plant site falls under the Clean Water Act and Rivers and Harbors Act. Speier warned the Army Corps that it should not adopt a novel, unilateral re-interpretation of the Clean Water Act that would be inconsistent with its past rulings and might limit the EPA's ability to regulate similar post-industrial sites nationwide.

The Army Corps of Engineers is considering whether the Redwood City Salt Plant site falls under the jurisdiction of the Clean Water Act and the Rivers and Harbors Act. Previous Corps of Engineers determinations from 2010 and 2008 found that the Redwood City Salt Plant salt ponds are Waters of the United States under the Clean Water Act and Rivers and Harbors Act. Overturning this precedent could have broad consequences for federal protection of waters nationwide.

"One agency should not unilaterally issue a ruling that guts the Clean Water Act's jurisdiction," said Speier. "We strongly urge the Corps to review their own precedents, provide due process, and fully consult with the EPA, Congress, and other stakeholders before they decide that certain sites are not worthy of protection."

###

Brent Maier  
Congressional Liaison  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne St. (OPA-3)  
San Francisco, CA 94105  
Ph: 415.947.4256

From: Brush, Jason  
Sent: Thursday, February 12, 2015 6:48 PM  
To: Maier, Brent; Zito, Kelly; Skadowski, Suzanne  
Subject: Fw: Letter from Bay area delegation re Redwood City salt ponds

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.  
From: Diamond, Jane <Diamond.Jane@epa.gov<mailto:Diamond.Jane@epa.gov>>  
Sent: Thursday, February 12, 2015 5:17 PM  
To: Brush, Jason; Woo, Nancy; Scianni, Melissa  
Subject: FW: Letter from Bay area delegation re Redwood City salt ponds

I will forward to OW.

Jane Diamond  
Water Director, EPA Region 9  
415-947-8707

From: Strauss, Alexis  
Sent: Thursday, February 12, 2015 3:14 PM  
To: Zito, Kelly; Quast, Sylvia; Blumenfeld, Jared; Diamond, Jane  
Subject: Letter from Bay area delegation

From: Goldstein, Miriam [mailto:Miriam.Goldstein@mail.house.gov]  
Sent: Thursday, February 12, 2015 3:01 PM  
To: Strauss, Alexis  
Subject: Letter from Bay area delegation

Hi Alexis,

Just wanted to let you know that the letter from 11 members of the Bay Area delegation went out to the Army Corps today. The letter is attached, and we'll do a press release tomorrow.

-Miriam

Miriam C. Goldstein, Ph.D.  
Legislative Assistant  
Office of Congresswoman Jackie Speier (CA-14)  
2465 Rayburn House Office Building  
Phone: (202) 225-3531  
Email: [miriam.goldstein@mail.house.gov](mailto:miriam.goldstein@mail.house.gov)<<mailto:miriam.goldstein@mail.house.gov>>  
Website: [www.speier.house.gov](http://www.speier.house.gov)<<http://www.speier.house.gov>>  
Congressional Watchdog Caucus:  
[speier.house.gov/watchdogcaucus](http://speier.house.gov/watchdogcaucus)<<http://speier.house.gov/watchdogcaucus>>  
[cid:image001.png@01D046ED.EA391F70]<<http://www.youtube.com/user/JackieSpeierCA12>>  
[cid:image002.png@01D046ED.EA391F70] <<http://www.facebook.com/JackieSpeier>>  
[cid:image003.png@01D046ED.EA391F70] <<http://twitter.com/RepSpeier>>

<image001.png>  
<image002.png>  
<image003.png>  
<2015-02-12 Darcy USACE CWA JD.pdf>